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TO: Members of the Maryland State Board of Education

FROM: Nancy S. Grasmick 

DATE: February 24, 2009

SUBJECT: Labeling of Persistently Dangerous Schools

PURPOSE:

To engage in a discussion of the persistently dangerous portion of Maryland's Unsafe School Choice Policy.

BACKGROUND/HISTORICAL PERSPECTIVE:

The *No Child Left Behind Act of 2001* requires all states receiving funding under the Act to establish and implement a statewide policy requiring that a student attending a persistently dangerous school or who becomes a victim of a violent criminal offense while in or on the grounds of the school he/she attends be allowed to transfer to a safe school within that local public school system (20 USC 7912).

EXECUTIVE SUMMARY:

In order to develop Maryland's policy, a workgroup was convened consisting of principals, teachers, central office personnel, the Maryland State Police, the Maryland Department of Juvenile Services, the Maryland Association of Boards of Education, the Maryland PTA, and the Maryland Associations of Elementary and Secondary School Principals representing geographic areas of the State. Their recommendations were taken to the Maryland State Board of Education (MSBE).



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In 2003, the MSBE adopted Code of Maryland Regulations 13A.08.01.18-20 (attached) which fulfills the requirements of an Unsafe School Choice Policy. In this policy, a 'persistently dangerous school' means a school in which each year for three consecutive years, the total number of student suspensions for more than 10 school days or expulsions equals 2 ½ percent or more of the total number of students enrolled in the school for these offenses: arson or fire; drugs; explosives; firearms; other guns, other weapons, physical attack on a student; physical attack on a school system employee or other adult; and sexual assault. A school is placed on probationary status if they meet these criteria for two consecutive years.

It is significant to note the serious nature of the aforementioned offenses and their occurrence over a long period of time.

ACTION:

For discussion purposes:

NSG:CJB:kw

Attachment